

Express Mail Label No.: EM 031 831 745 US  
 Date of Deposit: June 27, 2007

Attorney Docket No.: 34585-515 NATL

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/583,830 Confirmation No.: 6308  
 Applicant(s) : Michael J. Macaluso, *et al.*  
 Filed : June 21, 2006 Int. Serial No.: PCT/US04/43258  
 TC/A.U. : Not yet assigned  
 Examiner : Not yet assigned  
 Title : **POWER LINE COMMUNICATIONS DEVICE IN WHICH  
 PHYSICAL COMMUNICATIONS PROTOCOL LAYER  
 OPERATION IS DYNAMICALLY SELECTABLE**

**MAIL STOP PCT**

Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the present application are the following documents:

1. Copy of Notification of Missing Requirements (2 pgs.);
2. Response to Notification of Missing Requirements (1 pg.);
3. Copy of Combined Declaration and Power of Attorney (3 pgs.);
4. Check No. 3875 in the amount of \$65.00 to cover the surcharge; and
5. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned at (212) 935-3000. The Director is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. **50-0311**, Ref. No. **34585-515 NATL**. A duplicate copy of this Transmittal Letter is enclosed.

Dated: June 27, 2007

Respectfully submitted,



Richard G. Gervase, Reg. No. 46,725  
 Peter F. Snell, Reg. No. 52,235  
 Attorneys for Applicants  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

UNITED STATES DEPARTMENT OF COMMERCE  
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 Address: COMMISSIONER FOR PATENTS  
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 www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/583,830                  | Michael J. Macaluso   | 34585-515 NATL   |

|                               |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/US04/43258

|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 12/22/2004       | 12/23/2003    |

35437

MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO  
 666 THIRD AVENUE  
 NEW YORK, NY 10017

CONFIRMATION NO. 6308

371 FORMALITIES LETTER



\*OC000000023615328\*

Date Mailed: 05/01/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/22/2006
- Copy of the International Search Report filed on 06/22/2006
- Information Disclosure Statements filed on 12/27/2006
- Oath or Declaration filed on 06/22/2006
- U.S. Basic National Fees filed on 06/22/2006
- Priority Documents filed on 06/22/2006
- Specification filed on 06/22/2006
- Claims filed on 06/22/2006
- Abstracts filed on 06/22/2006
- Drawings filed on 06/22/2006

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| <input type="checkbox"/> Order Copies          |          |
| <input type="checkbox"/> Annuities             |          |

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
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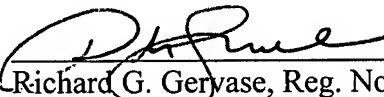
**RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS UNDER 35 U.S.C. §371**

In response to the Notification of Missing Requirements under 35 U.S.C. §371 mailed May 1, 2007, Applicants submit herein a copy of the Notification of Missing Requirements under 35 U.S.C. §371, an executed Combined Declaration and Power of Attorney form, and a check in the amount of \$65.00 (Check No. 3875) in payment of the fee required under 37 C.F.R. §1.492(h), for a small entity. This response is due on or before July 1, 2007, with no extensions.

The Director is hereby authorized to charge payment of any additional fees or credit any overpayments to Deposit Account No. **50-0311**, Reference No. **34585-515 NATL**, Customer No. **35437**.

Respectfully submitted,

Dated: June 27, 2007

  
Richard G. Gervase, Reg. No. 46,725  
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